

IC 5-26.5-2

Chapter 2. Address Confidentiality Program

IC 5-26.5-2-1

Eligible applicants

Sec. 1. The following individuals may apply to the office of the attorney general to have an address designated by the office of the attorney general serve as the individual's address or as the address of a minor or an incapacitated individual:

- (1) An individual who is at least eighteen (18) years of age.
- (2) A parent or guardian acting on behalf of a minor.
- (3) A guardian acting on behalf of an incapacitated individual.
- (4) An emancipated minor.

As added by P.L.273-2001, SEC.3. Amended by P.L.133-2002, SEC.11.

IC 5-26.5-2-2

Approval of applications

Sec. 2. The office of the attorney general shall approve an application filed in the manner and on a form prescribed by the office of the attorney general if the application contains the following:

- (1) A sworn statement by the applicant that the applicant has good reason to believe that:
 - (A) the applicant, or the minor or incapacitated individual on whose behalf the application is made, is a victim of:
 - (i) domestic violence;
 - (ii) sexual assault; or
 - (iii) stalking; and
 - (B) the applicant fears for:
 - (i) the applicant's safety; or
 - (ii) the safety of a minor or an incapacitated individual on whose behalf the application is made.
- (2) A copy of a valid protective order issued on behalf of the applicant or the minor or incapacitated individual on whose behalf the application is made.
- (3) A designation of the office of the attorney general as an agent of the applicant for the purpose of:
 - (A) service of process; and
 - (B) receipt of mail.
- (4) The:
 - (A) mailing address; and
 - (B) telephone number;where the applicant may be contacted by the office of the attorney general.
- (5) The new address that the applicant requests not be disclosed because disclosure may increase the risk of domestic violence.
- (6) The signature of the applicant and of any representative of an agency designated under IC 5-26.5-3-4 that assisted in the preparation of the application.
- (7) The date the applicant signed the application.

As added by P.L.273-2001, SEC.3. Amended by P.L.133-2002, SEC.12.

IC 5-26.5-2-3

Certification of participants; confidentiality

Sec. 3. (a) Upon approving an application under section 2 of this chapter, the office of the attorney general shall certify the applicant as a program participant.

(b) Subject to IC 5-26.5-3-2, the name, address, telephone number, and any other identifying information relating to a program participant, as contained in a record created under this chapter, is declared confidential for purposes of IC 5-14-3-4(a)(1).

As added by P.L.273-2001, SEC.3.

IC 5-26.5-2-4

Use of work address

Sec. 4. A program participant may use an address designated by the office of the attorney general as the program participant's work address.

As added by P.L.273-2001, SEC.3.

IC 5-26.5-2-5

Manner of application to vote

Sec. 5. A program participant who is otherwise qualified to vote may apply to vote as provided in IC 3-11-4-6.

As added by P.L.273-2001, SEC.3. Amended by P.L.209-2003, SEC.197.

IC 5-26.5-2-6

Expiration of certification; renewal

Sec. 6. Certification as a program participant expires two (2) years after the date on which the office of the attorney general certifies or renews the certification of the applicant as a program participant. A program participant may apply to renew the certification under section 7 of this chapter.

As added by P.L.273-2001, SEC.3. Amended by P.L.133-2002, SEC.13.

IC 5-26.5-2-7

Notice of expiration; approval of renewal

Sec. 7. (a) This section applies to a program participant whose certification expired under section 6 of this chapter.

(b) The office of the attorney general shall notify the program participant of the expiration date at least thirty (30) days before the expiration date.

(c) The office of the attorney general shall approve an application for renewal of certification filed in the manner and on a form prescribed by the office of the attorney general if the application contains the requirements set forth in section 2 of this chapter. However, a program participant who applies for renewal of

certification under this section does not have to provide a copy of a valid protective order.

As added by P.L.273-2001, SEC.3. Amended by P.L.133-2002, SEC.14.

IC 5-26.5-2-8 Repealed

(Repealed by P.L.133-2002, SEC.69.)

IC 5-26.5-2-9

Repealed

(Repealed by P.L.133-2002, SEC.69.)

IC 5-26.5-2-10

Perjury

Sec. 10. A person who knowingly or intentionally:

(1) falsely attests in an application made under this chapter that disclosure of the applicant's address would endanger:

(A) the applicant's safety; or

(B) the safety of a minor or an incapacitated individual upon whose behalf the application is made; or

(2) provides false or incorrect information upon making an application under this chapter;

commits perjury. This section applies to an application for certification under section 2 of this chapter and to an application for renewal of certification under section 7 of this chapter.

As added by P.L.273-2001, SEC.3. Amended by P.L.133-2002, SEC.15.

IC 5-26.5-2-11

Name change; copy of decree to attorney general

Sec. 11. A program participant who obtains a change of name under IC 34-28-2 shall provide a copy of the decree of the court changing the program participant's name to the office of the attorney general not more than thirty (30) days after the court enters the decree.

As added by P.L.133-2002, SEC.16.